

December 16, 2005

Mr. J. Douglas Fritz
MS4 Program Manager
Commonwealth of Virginia
Department of Conservation and Recreation
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Richmond, Virginia 23219

Department of Public Works
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Chesapeake, Virginia 23328
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RE: Request for Additional Information – MS4 Permit Reapplication; VA0088625

Dear Mr. Fritz:

This letter is in response to a request for additional information concerning the reapplication of the MS4 Permit VA0088625. The information provided in this letter covers the categories of Effectiveness Indicators, Measurable Goals, Public Education and Outreach, Spill Response Procedures, and Chesapeake Public Schools.

Effectiveness Indicators

As indicated in the City's initial application, dated October 10, 2005, the City intends to continue using the Indicators of Stormwater Program Effectiveness in its Stormwater Program. Please refer to the attached "Regional Initiative: Proposed Effectiveness Indicators", which were previously provided to you as one element of the City's permit application. Developed cooperatively by the six MS4 Phase I localities in Hampton Roads, the Effectiveness Indicators are used by the City in evaluating the components of its stormwater management program and may be used, as appropriate, in proposing modifications to the program components.

As previously documented in the City's Annual Reports and its 2000 permit application, the Indicators of Stormwater Program Effectiveness were developed based on evaluation of the stormwater monitoring program conducted during the City's first VPDES Permit. The results of that evaluation were documented in the regional study, Proposed Regional Monitoring Program and Program Effectiveness Indicators, September, 1999 (CH2M Hill with HRPDC Regional Stormwater Management Committee). That study entailed a rigorous statistical analysis of the data obtained through the stormwater monitoring program, conducted from 1996-1999, as well as monitoring conducted earlier in support of the City's first application for an MS4 Permit. Based on that analysis, it was found that the routine monitoring of stormwater was not effective in demonstrating that the stormwater program was having a positive water quality impact and that the monitoring was not advancing the state of the art or science in characterizing stormwater quality.

Measurable Goals

The City's permit reapplication was packaged in a format consistent with the format for the Phase II Permits for ease of reference and understanding. Notwithstanding that formatting approach, the City is not subject to the Phase II requirements to establish measurable goals. The City's permit application addresses all elements required by the Phase I Permit requirements, as found in 40 CFR 122. The City's Permit should address and include only those requirements applicable to Phase I communities.

However, if DCR wishes to assist with the development of specific, reliable, and valid measurable goals, the City of Chesapeake does not object to the cooperative regional development of reasonable goals that show a direct correlation between the storm water program and improved water quality.

Public Education and Outreach

The City of Chesapeake has an extensive educational outreach program within the Division of Stormwater Management. The City of Chesapeake has an MOA establishing the agreement between the City of Chesapeake and the Hampton Roads Planning District Commission (HRPDC). The Public Works Information Specialist is an active member of the HR STORM committee.

The City of Chesapeake uses an education outreach program coordinated by the Hampton Roads Planning District Commission, HR STORM, to provide extensive television, print, and radio advertising in the Hampton Roads market. In addition, the members of HR STORM work to develop a variety of public information and education tools for use throughout the region, thus ensuring a consistent message with regard to pollution prevention and stewardship wherever possible. HR STORM is a great supplement to our City-specific efforts, allowing us to pool resources and expertise with other localities to accomplish tasks that would otherwise be beyond the scope of our budget.

HR STORM is a program that allows cooperation among local governments to develop educational outreach programs. Committee members are made up of representatives from all local governments in the Hampton Roads region that have a direct impact on the activities and resources provided to Chesapeake residents. This committee develops topical advertising campaigns, media and press releases, various publications, give-aways, and grants to be used by the local governments. In addition, HRPDC staff coordinate a regional Info-Line and website.

The City of Chesapeake has fully integrated the products and services provided by HR STORM into its overall stormwater program.

Spill Response Procedures

The City of Chesapeake has in place procedures to handle spill response. A Copy of the City's Spill Prevention, Control, and Countermeasures (SPCC) Plan is attached. The procedures for spill response are also spelled out in the individual departmental Standard Operating Procedures (SOP). Please see the attached SOPs for the Chesapeake Fire Department, Department of Parks and Recreation, Water Treatment Plant, and Mosquito Control. SOPs for the City Garage and Department of Public Works are currently in the process of being updated.

The permit application should have stated that the City intends to review and update, as necessary, any spill response procedures. The City also intends to ensure a City-wide SOP is updated regularly and essential personnel trained for spill response procedures.

Chesapeake Public Schools

The City of Chesapeake and Chesapeake Public Schools have signed a Deed of Easement and Maintenance Agreement for Stormwater Management Facilities (attached). The City of Chesapeake conducts inspections on Schools' BMPs and informs Schools of any maintenance required. Any maintenance required is conducted by City School staff.

The City of Chesapeake desires to move forward in cooperation with its sister cities in Hampton Roads and the Department of Conservation and Recreation with development of a reasonable permit program. This intent is reflected in its application for permit renewal, which contains a comprehensive stormwater management program reflecting cooperative and regionally consistent program development. To facilitate this ongoing cooperative process, the City of Chesapeake and the other Phase I localities in Hampton Roads desire to continue dialogue on these permits as a group. The region's past experience in the permit process has shown this to be a cost-effective and administratively effective approach for the individual cities and the permitting agency.

The Regional Stormwater Management Committee of the Hampton Roads Planning District Commission meets on the first Thursday of each month. The next meeting is scheduled for January 5, 2006. Committee members invite you to join us for a focused discussion of the format and anticipated content of the draft permits at that time. Please advise John Carlock of the HRPDC staff at (757) 420-8300 if you will be able to participate.

I hope this letter addresses all your questions and concerns regarding the reapplication for the VPDES MS4 permit. Please feel free to contact Ms. Mariellen Calabro, Environmental Engineering Specialist, at (757) 382-3328 if you have any other questions.

Sincerely,

Richard Broad III, P.E.
Stormwater Administrator

Enclosures

cc: Amar Dwarkanath, Deputy City Manager, Operations/Water Resources
Patricia C. Biegler, P.E., Director of Public Works
Mariellen Calabro, Environmental Engineering Specialist
John Carlock, HRPDC
File

Attachment 1

Letter from DCR dated December 5, 2005

Attachment 2

Letter from Chesapeake to DCR

RE: MS4 Permit Reapplication – Regional Efforts

Dated October 7, 2005

Attachment 3
City of Chesapeake SPCC Plan
Revised December 2005

Attachment 4

Chesapeake Parks & Rec Emergency Response Procedures & Spills

Attachment 5

Chesapeake Water Treatment Plant Emergency Response Procedures

Attachment 6

Chesapeake Mosquito Control

Spill Control Response

Attachment 7
City of Chesapeake Fire Department
HazMat SOP

Attachment 8

Deed of Easement and Maintenance Agreement for Stormwater Management Facilities